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May 6, 2019

VIA, ELECTRONIC FILING

The Honorable Jocelyn Boyd
Chief Clerk
The Public Service Commission of South Carolina
101 Executive Center Drive
Columbia, South Carolina 29210

Re: • **Docket No. 2018-401-E and Docket No. 2019-130-E**

Ms. Boyd:

This correspondence is in response to Dominion Energy South Carolina, Inc.'s ("Dominion"), counsel's unsolicited correspondence to you, of April 26, 2019, e-filed in Dockets 2019-130-E and 2018-401-E, and this response is on behalf of Beulah Solar, LLC and Eastover Solar LLC (hereinafter together as, "Beulah Solar/Eastover Solar").

First, Dominion's counsel informs me that although his filing was made on April 26, 2019, the filing was not provided to the undersigned until April 29, 2019. Secondly, Dominion's counsel's correspondence is untimely, in that it was sent on April 26, 2019, which is one day into the 10-day period that allows Beulah Solar/Eastover Solar to seek rehearing or reconsideration of this Commission's Order No. 2019-293, dated April 24, 2019. In fact, my clients are seeking rehearing or reconsideration of Commission Order No. 2019-293 on today's date and Dominion's counsel's correspondence is untimely and inapplicable if this Commission grants our Petition for Rehearing or Reconsideration of Order No. 2019-293.

However, and despite that fact that Dominion's counsel filed his correspondence related to an Order during the 10-day period for that Order's rehearing or reconsideration, Beulah Solar/Eastover responds as follows.

Dominion's counsel states in his correspondence that, "[Dominion] understands that as a result of the consolidation... the Commission intends to timely address the impact of the missed milestone payments of Ecoplexus, Inc., Eastover Solar LLC and Beulah Solar, LLC." **Nowhere**

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in this Commission's Order No. 2019-293, does this Commission indicate that it intends to timely move forward to address the issues set forth by Dominion's counsel.

Dominion's counsel's correspondence also contains, without a basis, in Order No. 2019-293, the following self-serving language,

"In short, [Dominion] understands the Order to mean that (i) the Ecoplexus Docket is held in abeyance as a result of the consolidation, (ii) the Commission intends to promptly rule on the common issues of contested milestone payments and the resulting termination of the interconnection agreements, and (iii) upon deciding the common issues, the Commission will then issue separate guidelines for the respective matters to promptly resolve issues that are not common to the other." (Footnote omitted).

Nothing in this Commission's Order sets forth Dominion's counsel's "wish list" of items, which were not contained within the four corners of Order No. 2019-293.

Dominion's counsel in his correspondence does concede the following, which is an argument against consolidation, "Separately, **[Dominion] notes that the Eastover and Beulah Docket contains various other issues that are not in dispute in, and therefore not in common with, the Ecoplexus Docket.**" (Emphasis not in original).

Finally, Dominion's counsel's correspondence notes, and then ignores, the fact that Docket 2018-401-E is held in abeyance, with the next event being a required update on discovery on May 18, 2019.

In summary, Dominion ignores (i) the fact that Docket 2018-401-E is held in abeyance and (ii) the fact that as of the date of Dominion's correspondence, the Commission's Order on consolidation, Order No. 2019-293, was still in a rehearing or reconsideration time period. Despite these facts, Dominion asked for immediate relief, inconsistent with Docket 2018-401-E being held in abeyance and rehearing/reconsideration, still being available to the parties. For these reasons, the Commission should consider Dominion's correspondence as untimely and improvidently filed.

All parties of record in Dockets 2018-401-E and 2019-130-E, have been served. Please notify the undersigned if you there is anything else you may need.

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Respectfully Submitted,
AUSTIN & ROGERS, P.A.

/s/Richard L. Whitt,
Richard L. Whitt,
As Counsel for Beulah Solar, LLC and
Eastover Solar LLC.

RLW/cas

cc: All parties of record in Dockets 2018-401-E and 2019-130-E, *via electronic mail.*